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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/839,735	04/20/2001	Gregg Freishtat	P3984	3037

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CENTRAL COAST PATENT AGENCY
PO BOX 187
AROMAS, CA 95004

EXAMINER

SUAZO, RAINIER A

ART UNIT	PAPER NUMBER
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2144

DATE MAILED: 11/10/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/839,735

Applicant(s)

FREISHTAT ET AL.

Examiner

Rainier Suazo

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 April 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 April 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) e
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. This application has been examined. Claims 1-31 presented for examination.

Priority

2. This application claims benefit of the provisional application **60/199,609** (04/25/2000).
3. The effective filing date for the subject matter defined in the pending claims, which has support in Provisional Application No. 60/199,609 is 04/25/2000. Any new subject matter defined in the claims not previously disclosed in Provisional Application No. 60/199,609 is 04/20/2001.

Objections

4. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.

5. Claim 23 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 23 recites the limitation "characterized in that the individual ones of the second enterprises publish transaction protocols to the first enterprise, which then

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provides transaction protocol to the individual ones of the specific individuals, allowing transactions at the second enterprises to be managed by the specific individuals through the system". It is not clear what the applicant refers to in this limitation to the light of the disclosure presented for examination, therefore no reasonable meaning can be ascribed to this particular limitation. As per MPEP 2143.03 (2nd paragraph), for the purpose of examination, the above-mentioned limitation of claim 23 was interpreted to be "a set of instructions corresponding to transactions, provided to the end user by the service provider through a intermediary".

Content of Specification

6. The specification is objected. The first three lines in the "Background of the Invention" states that part of the present application is subject matter of other patent applications, therefore referring to more than one. Only one provisional application (60/199,699) is referenced to in the present disclosure. In Addition to, it is stated that "Yodlee.com, Inc. is the 100% owner of the present patent application"; the evidence presented for examination presents Gregg Freishtat and Vikas Rijsinghani as the inventors and no assignee data is available. The Field of the Invention is wrongfully placed outside the Background of the Invention.

Background of the Invention: See MPEP § 608.01(c). The specification should set forth the Background of the Invention in two parts:

- (1) Field of the Invention: A statement of the field of art to which the invention pertains. This statement may include a paraphrasing of the applicable U.S. patent classification definitions of the subject matter of the claimed invention. This item may also be titled "Technical Field."

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- (2) Description of the Related Art including information disclosed under 37 CFR 1.97 and 37 CFR 1.98: A description of the related art known to the applicant and including, if applicable, references to specific related art and problems involved in the prior art which are solved by the applicant's invention. This item may also be titled "Background Art."

Claim Rejections - 35 USC § 102(e)

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

8. Claims 1-14, 16-21, 23-25 and 27-30 are rejected under 35 U.S.C. 102(e) as being anticipated by Freishtat et al (U.S. Patent Number 6,317,783), hereinafter referenced to as Freishtat.

Regarding claims 1-11 and 16-18, Freishtat taught a personal information collection and delivery system and method, comprising; a collection component executed by a first enterprise, for collecting information for specific individuals from a plurality of information provider's sites; an aggregation component executed by the first enterprise, for aggregating and storing the collected information identified for individual ones of the specific individuals; and a plurality of delivery components executed by a like plurality of second enterprises, for delivering said aggregated information to the specific individuals; characterized in that delivery is distinguished to individual ones of the

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second enterprises (Abstract, Fig.2, column 3 lines 4-11, 30-33 and column 4 lines 26-29, 43-46). The system of claim 1 wherein the system is implemented in the Internet network, and delivery is accomplished following software routines prepared for individual ones of the second enterprises (Fig.8, column 2 lines 46-63, column 4 lines 29-43 and column 7 lines 29-34). The system of claim 1 wherein delivery is accomplished by individual ones of the second enterprises via one or more of wireless networks to one or more wireless appliances, or by cable to cable-ready set-top-boxes or television appliances (column 9 lines 11-15). The system of claim 2 wherein the information collected and delivered is personal information requiring secure identification of the specific individuals to the information provider's sites (from column 6 line 67 to column 7 line 25).

Regarding claims 12-14 and 19-21, Freishtat taught the system of claim 10 wherein the information collected and delivered is personal information requiring secure identification of the specific individuals to the information provider's sites (column 6 lines 34-54 and column 8 lines 34-61). The system of claim 10 wherein individual information providers limit access to aggregated information according to variables including the origination site used by a specific individual requesting information. The system of claim 10 wherein individual ones of the second enterprises provide transaction services to individual ones of the specific individuals connecting to the individual ones of the second enterprises through the system. The system of claim 13 wherein the transaction services include a user interface enabling a specific individual to access an account and

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transfer funds from the account for payment to a third party (Fig. 11 and column 14 lines 16-24).

Regarding claims 23, 27 and 28, Freishtat taught a personal information and transaction system, comprising: a collection component executed by a first enterprise, for collecting information for specific individuals from a plurality of second enterprises as information providers; an aggregation component executed by the first enterprise, for aggregating and storing the collected information identified for individual ones of the specific individuals (Abstract, Fig.2, column 3 lines 4-11, 30-33 and column 4 lines 26-29, 43-46), and a plurality of transaction components distinguished to individual ones of the second enterprises, for enabling transactions to be managed by individual ones of the specific individuals (Fig. 11 and column 14 lines 16-24); characterized in that the individual ones of the second enterprises publish transaction protocols to the first enterprise, which then provides transaction protocol to the individual ones of the specific individuals, allowing transactions at the second enterprises to be managed by the specific individuals through the system (column 4 lines 29-32).

Regarding claims 24 and 29, Freishtat taught the use of the Internet network (Fig.8, column 2 lines 46-63, column 4 lines 29-43 and column 7 lines 29-34).

Regarding claims 25 and 30, Freishtat taught inclusion of payment and transaction services (Fig. 11 and column 14 lines 16-24).

9. Since all the limitations of the claimed invention were disclosed by Freishtat, claims 1-14, 16-21, 23-25 and 27-30 are rejected.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claims 1-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Willis, Jr. et al. (U.S. Patent Number 6,738,815 B1) hereinafter referenced to as Willis in view of Dent et al. (U.S. Patent Number 6,128,603) hereinafter referenced to as Dent.

11. Regarding claims 1-12, 15-19, 22-24, 26-27, 29 and 31, Willis taught a personal information collection and delivery system and method, comprising; a collection component executed by a first enterprise, for collecting information for specific individuals from a plurality of information provider's sites; an aggregation component executed by the first enterprise, for aggregating and storing the collected information identified for individual ones of the specific individuals; and a plurality of delivery components executed by a like plurality of second enterprises, for delivering said aggregated information to the specific individuals; characterized in that delivery is distinguished to individual ones of the second enterprises (Abstract, column 14 lines 40-67 and column 15 lines 13-15). The system of claim 1, and delivery is accomplished following software routines prepared for individual ones of the second enterprises (Fig. 5, column 5 lines 7-14). The system of claim 1 wherein delivery is accomplished by individual ones of the second enterprises via one or more of wireless networks to one or

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more wireless appliances (Fig. 8), or by cable to cable-ready set-top-boxes or television appliances; requiring secure identification of the specific individuals to the information provider's sites (column 6 lines 51-56 and column 16 lines 3-6).

Regarding claims 12 and 19, the systems and methods of claims 10 and 17 limiting access according to variables (column 14 lines 51-53, column 16 lines 3-6 column 7 lines 27-29 and column 8 lines 7-15).

Regarding claim 23, characterized in that the individual ones of the second enterprises publish transaction protocols to the first enterprise, which then provides transaction protocol to the individual ones of the specific individuals allowing transactions at the second enterprises to be managed by the specific individuals through the system (column 6 lines 51-56).

Regarding claim 28, further comprising a step wherein the transaction components are published to the first enterprise by the commercial institutions (column 14 lines 59-60).

Willis taught the invention substantially as claimed, however, Willis did not explicitly teach wherein the system is implemented in the Internet network and The system of claim 2 wherein the information collected and delivered is personal information requiring secure identification of the specific individuals to the information provider's sites and the drag-and-drop implementation for fund transfers.

Willis taught implementation of networks using TCP/IP (Fig. 1 and column 7 lines 21-29), which motivates the exploration of the art accordingly to implement the invention in expanded networking environments. In addition to, Willis taught systems

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encompassing billing and payment (column 2 lines 19-23), which motivates to explore the art regarding such topics.

Dent taught systems and/or methods wherein the system is implemented in the Internet network (Fig. 1) and the systems/methods wherein the information collected and delivered is personal information (Abstract ["consumer based"], column 2 lines 24-26 and claim 1 line 5). Dent also taught the drag-and-drop implementation for fund transfers (claims 9 and 22 in column 12 lines 50-55 and column 14 lines 20-23).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the methods and systems of Willis with the teachings of Dent, motivated by Willis teachings regarding the use of TCP/IP protocol and transaction processing to obtain the claimed invention comprising personal information, the use of the Internet and drag-and-drop implementations to perform transactions.

12. Regarding claims 13-14, 20-21, 25, 27, 30, Willis taught the system/method wherein individual ones of the second enterprises provide transaction services to individual ones of the specific individuals connecting to individual ones of the second enterprises though the system (column 12 lines 33-45).

Willis taught the invention substantially as claimed, however, Willis did not explicitly teach the system/method wherein such system/method enables the transactions to be individuals ones of the specific individuals and payment processing.

Willis taught systems encompassing billing and payment transactions (column 2 lines 19-23), which motivates to explore the art regarding such topics.

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Dent taught systems and/or methods wherein the system/method wherein such system/method enables the transactions to be performed by individuals ones of the specific individuals and including payment processing (claims 9 and 22 in column 12 lines 5-55 and column 14 lines 15-23).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the methods and systems of Willis with the teachings of Dent, motivated by Willis teachings regarding billing and payment transactions to obtain the claimed invention comprising enabling individuals to perform the transactions including payment processing.

13. Willis and Dent disclosed inventions related to similar background related to billing processes.

14. Since all the limitations of claimed invention were disclosed by the combination of Willis and Dent, claims 1-31 are rejected.

Conclusion

15. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Refer to the enclosed PTO-892 for details.


16. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rainier Suazo whose telephone number is (571) 272-3931 or (703) 305-3887. The examiner can normally be reached on Monday through Friday, 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Cuchlinski can be reached on (571) 272-3925 or (703) 308-3873.

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The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



WILLIAM A. CUCHLINSKI, JR.
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2000